

REMARKS

Claims 1-3, 67, and 9 remain pending in the application. Claim 8 has been canceled without prejudice. Claims 3-4 and 10-16 have been withdrawn from consideration as being directed to non-elected invention.

Claims 1-3 and 6-9 stand objected to because of certain informalities.

In response, Applicants have now corrected the objections stated in the Office Action.

Claims 1-3 and 6-9 stand rejected under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement.

The Office Action states that in claim 1, the elastomeric material recited is described as having the function of providing a displacement sensitive material whose conductivity changes with vertical displacement causing the sidewall area to increase the common sidewall area. The Office action states that since the elastomeric material is essential to the invention, exemplary materials should have been described in the claimed method of the present invention.

Applicants concur with the Examiner in the assessment in the Office Action of the importance of the elastomeric material to the instant invention. Applicants have not given any specific examples simply because such materials are well known in the industry and have been used for extended time in the field of Micro-electromechanical devices prior to the filing of the present invention. Applicants have search for the use of elastomeric materials used for MEMs devices, in Delphion, and have found 37 patents that use elastomeric material in the construction of MEM devices. Examples of such patents include: U.S. Patent Nos. 7,144,616; 6,793,753; 7,122,079, etc.

Accordingly, Applicants believe that the specification as written fulfills the requirements of the written description, and as such, respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-3 and 6-9 based on 35 U.S. C. 112, first paragraph.

In view of the foregoing arguments and amendments, Applicants believe that they have overcome all the rejections and objections to the application, and respectfully request that all the amendments be entered and that the Examiner pass all the pending claims to issue.

Should the Examiner have any suggestions pertaining to the allowance of the application, the Examiner is encouraged to contact Applicants' undersigned representative.

Respectfully submitted,

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